

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JANE DOE, JANE DOE 2,	)	Civil Action No. 3:21-cv-00477
JANE DOE 3 AND JANE DOE 4	)	
	)	
Plaintiffs	)	JURY TRIAL DEMANDED
	)	
v.	)	
	)	
SCHUYLKILL COUNTY,	)	
GEORGE HALCOVAGE, GLENN	)	
ROTH, GARY BENDER, HEIDI	)	
ZULA and DOREEN KUTZLER,	)	
	)	
Defendants	)	
	)	

**DEFENDANT KUTZLER’S MOTION SEEKING TO PRECLUDE THE**  
**ADMISSION OF UNFAIRLY PREJUDICIAL**  
**“GOLDEN RULE” ARGUMENTS AND IMPROPER COMMENTS**

AND NOW, come Defendant, Doreen Kutzler, by and through ither undersigned counsel, and files the within Motion seeking to Preclude Plaintiffs from presenting any unfairly prejudicial “Golden Rule” comments or arguments during the trial of this matter and respectfully avers as follows:

1. The above action was initiated by the filing of a complaint on March 16, 2021. (Docket Document 1) Plaintiffs' complaint seeks recovery for alleged discrimination, sexual harassment, hostile work environment and retaliation under

Title VII, 42 U.S.C. §1983 and Pennsylvania State Law including the Pennsylvania Human Relations Act.

2. Following the filing of motions to dismiss, Plaintiffs filed an amended complaint on April 16, 2021. (Docket Document 20)

3. Thereafter plaintiffs sought leave and subsequently filed a second amended complaint on October 29, 2021. (Docket Document 63)

4. Plaintiffs' second amended complaint added additional factual assertions as well as named new defendants in the action including moving defendant Kutzler.

5. Plaintiffs' second amended complaint asserts claims against moving defendant under the Pennsylvania Human Relations Act (Counts V – VII) and under 42 U.S.C. §1983. (Counts VIII, IX and XIII (sic)).

6. It is believed and therefore averred that plaintiffs and/or their counsel may attempt to introduce evidence or testimony during the trial of this matter seeking to exploit the passion and sympathy of the jury and suggest that the jury put themselves in the place of the plaintiffs, “send a message” and similar remarks and which would be improper and unfairly prejudicial and seek to have the jury decide a case based on bias and emotion instead of the evidence.

7. As such testimony, evidence or argument is improper and unfairly prejudicial it is respectfully submitted this honorable court should enter an order prohibiting and excluding such from the trial of this matter.

WHEREFORE, Defendant, Doreen Kutzler respectfully requests that her Motion to Preclude Improper “Golden Rule” Comments and/or Similar Improper Arguments be Granted by this honorable Court.

Respectfully submitted,

**DICKIE, McCAMEY & CHILCOTE**

Date: December 3, 2024

By: /s/ Paul G. Lees  
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ZULA and DOREEN KUTZLER,	)	
	)	
Defendants	)	
	)	

# CERTIFICATE OF NONCONCURRENCE

The undersigned hereby certifies that he has advised counsel for Plaintiffs of Defendant Kutzler’s Motion to Preclude Improper “Golden Rule” Comments and/or Argument this date and defense counsel has not been advised that plaintiffs’ counsel concurs in the aforesaid Motion.

Respectfully submitted,

**DICKIE, McCAMEY & CHILCOTE**

Date: December 3, 2024

By: /s/ Paul G. Lees

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*Attorney for Defendant Doreen Kutzler*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Defendant Kutzler's Motion to Preclude Improper "Golden Rule" Comments and/or Argument has been electronically filed and is available for viewing and downloading from the ECF System. The following counsel of record was served via electronic notification:

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**DICKIE, McCAMEY & CHILCOTE**Date: December 3, 2024

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